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FILED
 2008 MAY -6 AM 11:37
 CLERK OF DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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Attorneys for Defendants
 BP AMERICA INC. and
 BP PRODUCTS NORTH AMERICA INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

NATIVE VILLAGE OF KIVALINA and CITY OF
 KIVALINA,

Plaintiff,

v.

EXXONMOBIL CORPORATION; BP P.L.C.;
 BP AMERICA, INC.; BP PRODUCTS NORTH
 AMERICA, INC.; CHEVRON CORPORATION;
 CHEVRON U.S.A., INC.; CONOCOPHILLIPS
 COMPANY; ROYAL DUTCH SHELL PLC;
 SHELL OIL COMPANY; PEABODY ENERGY
 CORPORATION; THE AES CORPORATION;
 AMERICAN ELECTRIC POWER COMPANY,
 INC.; AMERICAN ELECTRIC POWER SERVICES
 CORPORATION; DTC ENERGY COMPANY;
 DUKE ENERGY CORPORATION; DYNEGY
 HOLDINGS, INC.; EDISON INTERNATIONAL;
 MIDAMERICAN ENERGY HOLDINGS COMPANY;
 MIRANT CORPORATION; NRG ENERGY;
 PINNACLE WEST CAPITAL CORPORATION;
 RELIANT ENERGY, INC.; THE SOUTHERN
 COMPANY; AND XCEL ENERGY, INC.,

Defendants.

Case No. C 08-01138 SBA

**APPLICATION FOR ADMISSION
 OF MICHAEL B. GERRARD *PRO
 HAC VICE***

Pursuant to Civil L.R. 11-3, Michael B. Gerrard, an active member in good standing of the bar of the State of New York and admitted to practice before all courts of the State of New York, hereby applies for admission to practice in the Northern District of California on a *pro hac vice* basis representing BP America Inc. and BP Products North America Inc. in the above-entitled action.

In support of this application, I certify on oath that:

1. I am an active member in good standing of a United States Court or of the highest court of another State or the District of Columbia, as indicated above;

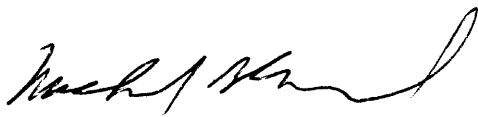
2. I agree to abide by the Standards of Professional Conduct set forth in Civil Local Rule 11-4, to comply with General Order No. 45, Electronic Case Filing, and to become familiar with the Local Rules and the Alternative Dispute Resolution programs of this Court; and,

3. An attorney who is a member of the bar of this Court in good standing and who maintains an office within the State of California has been designated as co-counsel in the above-entitled action. The name, address and telephone number of that attorney is:

Matthew T. Heartney
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I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 2, 2008



Michael B. Gerrard

461740

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 South Figueroa Street, 44th Floor, Los Angeles, California 90017-5844.

On May 5, 2008, I served the foregoing document described as:

APPLICATION FOR ADMISSION OF MICHAEL B. GERRARD *PRO HAC VICE*

☒ by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

☒ **BY MAIL** I placed such envelope with postage thereon prepaid in the United States Mail at 777 South Figueroa Street, 44th Floor, Los Angeles, California 90017-5844. Executed on May 5, 2008 at Los Angeles, California.

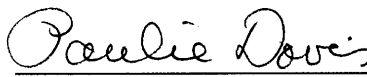
☐ **BY FACSIMILE** The above-referenced document (together with all exhibits and attachments thereto) was transmitted via facsimile transmission to the addressee(s) as indicated on the attached mailing list on the date thereof. The transmission was reported as completed and without error. Executed on _____ at Los Angeles, California.

☐ **BY FEDERAL EXPRESS** I am readily familiar with Arnold & Porter LLP's business practices of collecting and processing items for pickup and next business day delivery by Federal Express. Under said practices, items to be delivered the next business day are either picked up by Federal Express or deposited in a box or other facility regularly maintained by Federal Express in the ordinary course of business on that same day with the cost thereof billed to Arnold & Porter LLP's account. I placed such sealed envelope for delivery by Federal Express to the offices of the addressee(s) as indicated on the attached mailing list on the date hereof following ordinary business practices. Executed on _____ at Los Angeles, California.

☒ **FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 5, 2008, at Los Angeles, California.

 Paulie Davis



 Signature

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ENERGY, and RELIANT ENERGY, INC.**

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Case/Party: D-CAN-4-08-AT-PROHAC-001
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PRO HAC VICE

For: Michael Gerrard, Philip Curtis
Case/Party: D-CAN-4-08-AT-PROHAC-001
Amount: \$210.00

CHECK

Check/Money Order Num: 14791
Amt Tendered: \$420.00

Total Due: \$420.00
Total Tendered: \$420.00
Change Amt: \$0.00

for Michael B. Gerrard and Philip
H. Curtis C-08-1138-SBA

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MAY - 6 2008

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NATIVE VILLAGE OF KIVALINA and CITY OF
KIVALINA,

Plaintiff,

v.

EXXONMOBIL CORPORATION; BP P.L.C.;
BP AMERICA, INC.; BP PRODUCTS NORTH
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Defendants.

Case No. C 08-01138 SBA

**[PROPOSED] ORDER GRANTING
APPLICATION FOR ADMISSION
OF MICHAEL B. GERRARD *PRO*
*HAC VICE***

1 Michael B. Gerrard, an active member in good standing of the bar of the State of New York
2 and admitted to practice before all courts of the State of New York, whose business address and
3 telephone number is ARNOLD & PORTER LLP, 399 Park Avenue, New York, NY 10022-4690;
4 Telephone: 212.715.1000, having applied in the above-entitled action for admission to practice in
5 the Northern District of California on a *pro hac vice* basis, representing Defendants BP America
6 Inc. and BP Products North America Inc.,

7 IT IS HEREBY ORDERED THAT the application is granted, subject to the terms and
8 conditions of Civil L.R. 11-3. All papers filed by the attorney must indicate appearance *pro hac*
9 *vice*. Service of papers upon and communication with co-counsel designated in the application will
10 constitute notice to the party. All future filings in this action are subject to the requirements
11 contained in General Order No. 45, *Electronic Case Filing*.

12 Dated: _____
13
14

15
16 THE HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT COURT JUDGE

17 461835
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25
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28

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 South Figueroa Street, 44th Floor, Los Angeles, California 90017-5844.

On May 5, 2008, I served the foregoing document described as:

**[PROPOSED] ORDER GRANTING APPLICATION FOR ADMISSION OF
 MICHAEL B. GERRARD *PRO HAC VICE***

- ☒ by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.
- ☒ **BY MAIL** I placed such envelope with postage thereon prepaid in the United States Mail at 777 South Figueroa Street, 44th Floor, Los Angeles, California 90017-5844. Executed on May 5, 2008 at Los Angeles, California.
- ☐ **BY FACSIMILE** The above-referenced document (together with all exhibits and attachments thereto) was transmitted via facsimile transmission to the addressee(s) as indicated on the attached mailing list on the date thereof. The transmission was reported as completed and without error. Executed on _____ at Los Angeles, California.
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- ☒ **FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 5, 2008, at Los Angeles, California.

 Paulie Davis

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